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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,866	05/04/2001	Duncan McRee	22700-706	8379
7590	06/08/2004			
DAVID J. WEITZ GENERAL COUNSEL, V.P. OF INTELLECTUAL PROPERTY AND 10410 SCIENCE CENTER DRIVE SAN DIEGO, CA 92121			EXAMINER	BORIN, MICHAEL L
			ART UNIT	PAPER NUMBER
			1631	

DATE MAILED: 06/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/848866			

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EXAMINER	
Michael Borin	
ART UNIT	PAPER NUMBER
1631	20040601

DATE MAILED:

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Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

The communication filed on 04/27/2004 is not fully responsive to the prior Office action because of the following omissions or matters:

Applicant has not properly responded to election of species requirement.

In response to Election of Species requirement, applicant elected claims 2-20. However, the requirement requested not the election of one particular group - this is not a restriction requirement - but election of a single disclosed species from each of the groups. Applicant is required under 35 U.S.C. 121 to elect a single disclosed species from group (A) AND group (B) AND group [©] AND group (D) AND group (E) AND group (F) AND group (G) AND group (H) identified in the Election of Species requirement.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Borin whose telephone number is (703) 305-4506. Dr. Borin can normally be reached between the hours of 8:30 A.M. to 5:00 P.M. EST Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Michael Woodward, can be reached at (703) 308-4028. The fax numbers for this group are (703) 305-3014 and (703) 308-4242.

Any inquiry of a general nature or relating the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

June 1, 2004

MICHAEL BORIN, PH.D
PRIMARY EXAMINER